

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CASEY C. BURRIS,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-16-470-M
)	
TRACY MCCOLLUM, WARDEN,)	
)	
Respondent.)	

ORDER


On May 17, 2016, United States Magistrate Judge Bernard M. Jones issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the petition for writ of habeas corpus be summarily dismissed and that petitioner's motion for appointment of counsel be denied as moot. Petitioner was advised of his right to object to the Report and Recommendation by June 7, 2016. On May 31, 2016, petitioner filed a Notice of Intent to Appeal, and on June 6, 2016, petitioner filed a Motion to Withdraw Notice of Intent to Appeal and "Objection" to Report and Recommendation.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation [docket no. 8] issued by the Magistrate Judge on May 17, 2016;
- (2) GRANTS petitioner's motion to withdraw notice of intent to appeal [docket no. 11];
- (3) ORDERS that petitioner Notice of Intent to Appeal [docket no. 10] is hereby WITHDRAWN;
- (4) DISMISSES petitioner's petition for writ of habeas corpus; and

(5) DENIES petitioner's motion for appointment of counsel [docket no. 3] as MOOT.

IT IS SO ORDERED this 8th day of June, 2016.


VICKI MILES-LaGRANGE
UNITED STATES DISTRICT JUDGE